

REMARKS/ARGUMENTS

Claims 17-21 are pending in the application. By this Amendment, claims 1-16 are canceled and claim 17 is amended. Reconsideration and withdrawal of the rejections in view of the foregoing amendments and the following remarks is respectfully requested.

The change to claim 17 merely corrects a typographical error that was present in the claim when it was added in the February 4, 2009 Amendment. Also, the changes to the specification correct typographical errors in selected paragraphs of the application. The correct version of the subject formula was always present in the originally filed application, as reflected in paragraphs 32, 33 and 109 of the original application. Thus, the correction of other selected paragraphs of the application, and the change to claim 17, does not add any new matter to the application. Likewise, these changes do not raise any new issues that would require further consideration and/or search. Accordingly, entry of the Amendment is respectfully requested.

A. Formal Matters

The Office Action rejects claims 2, 4, 9, 16 and 17 under 35 USC §112, second paragraph, as allegedly indefinite. As noted above, claims 2, 4, 9 and 16 have been canceled. With respect to claim 17, the rejection is respectfully traversed.

The Office Action notes that claim 17 recites a formula that is different from the formula appearing in the specification. As explained above, by this Amendment claim 17

is amended to reflect the correct version of the formula. Also, certain paragraphs of the Specification are also amended to reflect the correct version of the formula. To the best of the undersigned knowledge and belief, the correct formula is now presented throughout the application. Accordingly, withdrawal of the rejection of claim 17 is respectfully requested.

B. Claims 1-16

The Office Action rejects claims 1-16 over various combinations of prior art references. As noted above, by this Amendment, claims 1-16 have been canceled. Accordingly, these rejections are moot.

C. Claims 17-21 Are Allowable

The Office Action rejects claims 17-21 under 35 U.S.C. §103(a) over U.S. Patent No. 4,919,551 to Nunotani, in view of U.S. Patent No. 6,461,049 to Straub. The rejection is respectfully traversed.

Claim 17 is directed to a bearing device that includes an inner ring, an outer ring and a plurality of tapered roller bearings. Claim 17 recites a very specific relationship between the number of tapered rollers in the bearing, the mean diameter of the tapered rollers, and a pitch circle diameter of the tapered rollers.

Nunotani discloses a tapered roller bearing structure as illustrated in Figure 1. As shown therein, a plurality of tapered rollers 13 are provided between an inner ring 11 and

an outer ring 12. A retainer 17 keeps the tapered rollers spaced apart around the circumference of the bearing.

The Office Action appears to suggest that one of ordinary skill in the art would have found it obvious to modify what is shown in Nunotani, based on the teachings of Straub, to arrive at a bearing structure that satisfies the formula recited in claim 17. Applicants respectfully disagree.

The Straub reference provides no teaching or suggestion that there should be any type of relationship between the physical values recited in claim 17, let alone the very specific relationship recited in claim 17. In addition, it appears that the Straub reference only uses cylindrical roller elements. Accordingly, Straub does not even teach the use of tapered rollers as recited in claim 17, which have both a mean diameter and a pitch circle diameter. In view of all of the foregoing, it is respectfully submitted that Straub fails to provide any teaching or suggestion of the relationship recited in claim 17. For at least this reason, withdrawal of the rejection of claims 17-21 is respectfully requested.

D. Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Respectfully submitted,

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